



DOCKET NO: I0248.70012US00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Wallner et al.
Serial No: 09/578,363
Confirmation No: 6092
Filed: May 25, 2000
For: ANTI-TUMOR AGENTS
Examiner: Jeffrey E. Russel
Art Unit: 1654

RECEIVED
DEC 29 2003
TECH CENTER 1600/2900

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to **MAIL STOP RCE** Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the 16th day of December, 2003.

Maria A. Trevisan, Reg. No. 48,207

MAIL STOP RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**STATEMENT FILED PURSUANT TO THE DUTY OF
DISCLOSURE UNDER 37 CFR §§1.56, 1.97 AND 1.98**

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, the Applicant requests consideration of this Information Disclosure Statement.

PART I: Compliance with 37 C.F.R. §1.97

This Information Disclosure Statement has been filed before the mailing of a first Office Action after the filing of a request for continued examination under 37 C.F.R. §1.114.

No fee or certification is required.

PART II: Information Cited

The Applicant hereby makes the following additional information of record in the above-identified application.

The applicant would like to bring to the Examiner's attention the following co-pending applications that may contain subject matter related to this application:

<u>Docket No.</u>	<u>Serial No.</u>	<u>Filing Date</u>	<u>Inventor(s)</u>
I0248.70023	10/616,694	July 9, 2003	Sharlene Adams Glenn Miller Michael Jesson Barry Jones
I0248.70024	10/616,409	July 9, 2003	Sharlene Adams Glenn Miller Michael Jesson Barry Jones

The Applicant would like to bring to the Examiner's attention the enclosed documents from a corresponding International or Foreign National Application.

Written Opinion from International Application No. PCT/US00/14505 (I0248.70012WO00).

International Preliminary Examination Report from International Application No. PCT/US00/14505 (I0248.70012WO00).

PART III. Remarks

Documents cited anywhere in the Information Disclosure Statement are enclosed unless otherwise indicated. It is respectfully requested that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;
2. The enclosed form PTO-1449 be signed by the Examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application;
3. The citations for the information be printed on any patent which issues from this application.

By submitting this Information Disclosure Statement, the Applicant makes no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Notwithstanding any statements by the Applicant, the Examiner is urged to form his own conclusion regarding the relevance of the cited information.

An early and favorable action is hereby requested.

Respectfully submitted,
Wallner et al., *Applicant*

By: 

Maria A. Trevisan, Reg. No. 48,207
Wolf, Greenfield & Sacks, P.C.
600 Atlantic Avenue
Boston, Massachusetts 02210-2211
Telephone: (617) 720-3500

Docket No. I0248.70012US00
Date: December 16, 2003
XNDDX



RECEIVED
DEC 29 2003
TECH CENTER 1600/2900

FORM PTO-1449/A and B (Modified)		APPLICATION NO.: 09/578,363	ATTY. DOCKET NO.: 1600/2900
INFORMATION DISCLOSURE STATEMENT BY APPLICANT		FILING DATE: May 25, 2000	CONFIRMATION NO.: 6092
		APPLICANT: Wallner et al.	
		GROUP ART UNIT: 1654	EXAMINER: Jeffrey E. Russel
Sheet	1	of	1

U.S. PATENT DOCUMENTS

Examiner's Initials	Cite No.	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication or of issue of Cited Document MM-DD-YYYY
		Number	Kind Code		
	A40	2003/0130199	A1	von Hoersten, et al.	07-10-2003

FOREIGN PATENT DOCUMENTS

Examiner's Initials	Cite No.	Foreign Patent Document			Name of Patentee or Applicant of Cited Document (not necessary)	Date of Publication of Cited Document MM-DD-YYYY	Translation (Y/N)
		Office/ Country	Number	Kind Code			
	B45	WO	95/29233		Ludwig Institute for Cancer Research	11-02-1995	

OTHER ART — NON PATENT LITERATURE DOCUMENTS

Examiner's Initials	Cite No	Include name of the author (in CAPITAL LETTERS) title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, relevant page(s), volume-issue number(s), publisher, city and/or country where published.	Translation (Y/N)
	C182	ARIGA, N. et al., "Stromal expression of fibroblast activation protein/seprase, a cell membrane serine proteinase and gelatinase, is associated with longer survival in patients with invasive ductal carcinoma of breast" <i>Int. J. Cancer</i> , 2001, January 20 95(1):67-72	
	C183	GOLDSTEIN, L.A., et al., "Identification of an Alternatively Spliced Seprase mRNA that Encodes a Novel Intracellular Isoform" <i>The Journal of Biological Chemistry</i> , Vol. 275, No. 4, January, 2000, pp.2554-2559	
	C184	MCCAUGHAN, G.W. et al., "Molecular pathogenesis of liver disease: an approach to hepatic inflammation, cirrhosis and liver transplant tolerance" <i>Immunological Reviews</i> 2000, Vol. 174: 172-191	
	C185	PARK, J.E., et al., "Fibroblast Activation Protein, a Dual Specificity Serine Protease Expressed in Reactive Human Tumor Stromal Fibroblasts" <i>The Journal of Biological Chemistry</i> , Vol. 274, No. 51, December 1999, pp. 36505-36512	
	C186	RETTIG, W.J., et al., "Differential Expression of Cell Surface Antigens and Glial Fibrillary Acidic Protein in Human Astrocytoma Subsets" <i>Cancer Research</i> 46:6406-6412, December 1986	
	C187	SUN, S. et al., "Expression purification, and kinetic characterization of full-length human fibroblast activation protein" <i>Protein Expr. Purif.</i> 2002 March, 24(2):274-281 (Abstract Only)	

EXAMINER	DATE CONSIDERED
----------	-----------------

#EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

*a copy of this reference is not provided as it was previously cited by or submitted to the office in a prior application, Serial No. __, filed __, and relied upon for an earlier filing date under 35 U.S.C. 120 (continuation, continuation-in-part, and divisional applications).

[NOTE - Must provide a copy of any patent, publication, other information listed, even if it was previously submitted to, or cited by, the U.S. Patent Office in an earlier application, unless the earlier application is identified by the IDS and is relied upon for an earlier filing date under 35 U.S.C. §120, and the copy was provided in the earlier application.]